

FILED  
CHARLOTTE, N.C.  
2005 MAY 25 PM 2:10  
U.S. DISTRICT COURT  
W.DIST. OF N.C.

UNITED STATES DISTRICT COURT  
for the

Western District of North Carolina

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
Probation Form 49, Waiver of Hearing is Attached**

Name of Offender: Roscoe Abell

Case Number: 3:97CR319-V

Name of Sentencing Judicial Officer: The Honorable Richard L. Voorhees  
U.S. District Judge

Date of Original Sentence: 11/6/98 Register Number: 13305-058 PACTS Number: 5702

Original Offense: Possession of Firearm by a Convicted Felon, in violation of 18 U.S.C. §  
922(g)(1). Class C Felony.

Original Sentence: 72 months imprisonment followed by 3 years supervised release. Special  
conditions: pay \$200 assessment (paid).

Type of Supervision: Supervised Release

Date Supervision Commenced: 7/1/03

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**PETITIONING THE COURT**

- [ ] To extend the term of supervision for years, for a total of years.  
[X] To modify the conditions of supervision as follows:

"The defendant shall serve a period of 4 months at a local Community Sanctions Center,  
with work release if applicable, at the direction of the U.S. Probation Officer."

**CAUSE**

The defendant has committed a number of violations of his terms and conditions of supervised release and is in jeopardy of facing supervision revocation proceedings. Mr. Abell was convicted of the misdemeanor offense of Resisting a Public Officer (04-CR-218615), he has tested positive for marijuana use on at least 3 occasions and he has failed to secure full-time employment. The defendant has consented to the above-noted modification of his conditions of supervised release pursuant to the attached Probation Form 49, "Waiver of Hearing to Modify Conditions".

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

by

  
Jeffrey R. Bowley  
U.S. Probation Officer  
(704) 350-7652

Date: 5/16/05

**THE COURT ORDERS:**

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other

5-20-05

Date

  
Signature of Judicial Officer

Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT**  
**for the**  
**WESTERN DISTRICT OF NORTH CAROLINA**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

"The defendant shall serve a period of 4 months at a local Community Sanctions Center, with work release if applicable, at the direction of the U.S. Probation Officer."

Witness: Jeff Bowley  
U.S. Probation Officer  
4-27-05  
Date

Signed: Priscell  
Probationer or Supervised Releasee